

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16CV324-MOC  
(3:01CR151-MOC-DCK-1)

ERIC BERNARD LOWERY, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

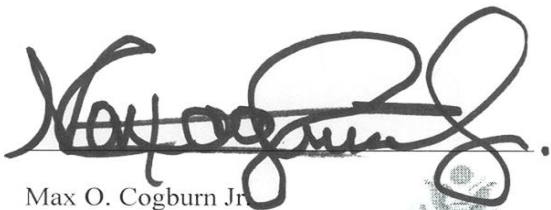
**ORDER**

**THIS MATTER** is before the Court on its own motion in light of the parties' respective briefs addressing Petitioner's motion to vacate brought under 28 U.S.C. § 2255, and following the parties' informal grant of consent to the entry of this Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that this matter is HELD in abeyance pending issuance of a decision in United States v. Brown, No. 16-7056. After issuance of such decision, the parties shall have 45 days to address the effect, if any, Brown has on Petitioner's claims.

Signed: May 10, 2017

  
Max O. Cogburn Jr.  
United States District Judge